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EXAMINER	
HIRL, JOSEPH P	

ART UNIT	PAPER NUMBER
2129	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/801,795	MATICHUK, BRUCE	
	Examiner	Art Unit	
	Joseph P. Hirl	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to an AMENDMENT entered November 14, 2005 for the patent application 09801795 filed on March 9, 2001.

2. The First Office Action of January 27, 2005 is fully incorporated into this Final Office Action by reference.

Status of Claims

3. Claims 1-24 are pending in this application.

Claim Rejections - New Matter

4. Claims rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 5, 8, 9, 12, 18, 22, 23 and 24 cite the limitation of a "knowledge base" where the specification and the drawings are silent on such limitation.

5. Claims rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession

of the claimed invention. Claim 24 cites the following limitation that was not found in the specification and drawings:

> wherein the creating of the plan by the navigation planner comprises the navigation planner dynamically analyzing a current screen to determine a current state, determining a desired state associated with the problem, and dynamically identifying a sequence of the actions from the current state needed to achieve the desired state.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Okerlund et al (U.S. Patent 6,690,371, referred to as **Okerlund**).

Claim 1

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a computer memory coupled to said processor(**Okerlund**, c 3, l 10-21); and a screen fingerprinter stored in said computer memory, wherein said fingerprinter comprises a decision tree that selects at least one region and/or pattern of screens of a presentation space of a computer application to be captured such that an occurrence of the said at least one region and/or pattern enables the decision tree is uniquely identify each of the screens (**Okerlund**, c

3, l 22-35; c 8, 28-42; Examiner's Note (EN): ¶ 12 applies; a fingerprinter is simply the software that acquires specific screen presentation data related to at least one computer; decision tree is synonymous with hierarchical data structure in the form of a binary tree which has a decision point at each node that is not a leaf node).

Claim 2

Okerlund anticipates said fingerprinter allows a user to modify which portion of a screen comprises said region and/or pattern and which attributes of said region and/or pattern to examine (**Okerlund**, c 3, l 35-47).

Claim 3

Okerlund anticipates said fingerprinter creates the decision tree based on said at least on region and/or pattern such that after each screen is compared to the region or pattern at each decision node, a screen identifier will come to a different end node of said decision tree for each screen (**Okerlund**, c 8, l 28-42).

Claim 4

Okerlund anticipates said fingerprinter allows a user to modify said decision tree by modifying the comparisons at the decision nodes (**Okerlund**, c 3, l 35-47; c 8, l 27-50).

Claim 5

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a computer memory coupled to said processor (**Okerlund**, c 3, l 10-21); a user interface and a state recorder stored in said computer memory, wherein said state recorder records in said computer memory a knowledge base which comprises each screen of the presentation layer of a

computer application, the keystrokes and/or programs necessary to reach each state, the available actions from each state of each screen and the effect of any actions available each state through navigating said computer application in said user interface (**Okerlund**, c 3, l 10-47, c 4, l 20-40; c 5, l 20-23; EN: ¶ 12 applies; a knowledge base without enablement is a memory limitation).

Claim 6

Okerlund anticipates said processor generates said file while a user navigates said another computer system in said user interface (**Okerlund**, c 4, l 37-42).

Claim 7

Okerlund anticipates said processor generates said file while automatically navigating said another computer system (**Okerlund**, c 4, l 29-36).

Claim 8

Okerlund anticipates a fingerprint of each screen is included in said knowledge base (**Okerlund**, c 4, l 20-40; EN: such would happen as each screen is remotely viewed; EN: a knowledge base without enablement is a memory limitation).

Claim 9

Okerlund anticipates pre-conditions and post-conditions for each state are included in said knowledge base (**Okerlund**, c 4, l 54-63; EN: a knowledge base without enablement is a memory limitation).

Claim 10

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a computer memory coupled to said processor (**Okerlund**, c 3, l 10-21); at least one computer application

model stored in said computer memory (**Okerlund**, c 3, l 10-21); and a navigation planner stored in said computer memory (**Okerlund**, c 8, l 29-42; EN: a hierarchical data structure is a form of a navigation planner); wherein when said navigation planner receives a problem statement, said navigation planner accesses said at least one computer application model to create a plan of solving said problem statement and executes said plan (**Okerlund**, c 8, l 43-50; EN: ¶ 12 applies; problem statement is a change made to a slice and the execution follows a binary tree).

Claim 11

Okerlund anticipates when said plan fails, said navigation planner creates a new and different plan to solve said problem statement (**Okerlund**, c 8, l 60-67; EN: a new or different plan results from the addition or removal of a slice wherein the hierarchical data structure is changed).

Claim 12

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a fingerprinter (**Okerlund**, c 3, l 10-21; EN: a fingerprinter is simply the software that acquires specific screen presentation data related to at least one computer); a recorder (**Okerlund**, c 3, l 10-21; EN: such is memory); and a user interface (**Okerlund**, c 3, l 36-47); wherein said fingerprinter selects at least one region and/or pattern of the screens of the presentation space of a computer application to be captured such that said at least one region and/or pattern of each screen is unique (**Okerlund**, c 3, l 22-35; EN: the extraction of medical image data will be unique); wherein said state recorder records in said computer memory a knowledge base which comprises each screen of the presentation layer of a

computer application, the keystrokes and/or programs necessary to reach each screen, a fingerprint of each screen, the available actions from each screen and the effect of any actions available in each screen through navigating said computer application in said user interface (**Okerlund**, c 3, l 10-47, c 4, l 20-40; ; EN: a knowledge base without enablement is a memory limitation); wherein additional relationships between said screen and said knowledge base can be input through said user interface such that said computer application model generator can model said computer application (**Okerlund**, c 3, l 36-47; EN: ¶ 12 applies; a knowledge base without enablement is a memory limitation).

Claim 13

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a computer memory (**Okerlund**, c 3, l 10-21); a runtime agent stored in said computer memory (**Okerlund**, c 3, l 10-21; EN: run-time agent is an object (software) that is involved in the execution of the software and would of consequence be stored in the computer memory); and at least one computer application model stored in said computer memory, said model modeling at least one computer application (**Okerlund**, c 3, l 10-21; EN: such is the operation of a computer); wherein when said processor receives a problem statement, said runtime agent accesses said at least one computer application model to intelligently reason out a goal-oriented plan and accesses the modeled computer applications to execute the tasks necessary to solve said problem statement (**Okerlund**, c 8, l 60-67; EN: ¶ 12. applies; such is computer science and the addition or removal of a slice).

Claim 14

Okerlund anticipates taking a screen capture of each screen of the presentation layer of a computer application (**Okerlund**, c 8, l 27-67; EN: such are the slices) selecting areas of said screen captures to be examined for the presence of an attribute in said area (**Okerlund**, c 8, l 7-17; EN: such are ray definitions for every pixel) ; and creating a decision tree such that each of said screen captures has a unique end node of said decision tree (**Okerlund**, c 8, l 28-42).

Claim 15

Okerlund anticipates said areas (claim 14) are selected automatically (**Okerlund**, c 8, l 7-17).

Claim 16

Okerlund anticipates said areas (claim 14) are selected manually (**Okerlund**, c 3, l 36-47; c 8, l 7-17).

Claim 17

Okerlund anticipates said decision tree is created manually (**Okerlund**, c 3, l 36-47; c 8, l 27-47; EN: manual adjustments are made by the technologist which then affect the creation of the decision tree).

Claim 18

Okerlund anticipates accessing said computer application (**Okerlund**, c 3, l 10-21); navigating said computer application (**Okerlund**, c 8, l 27-47); and recording in a knowledge base each screen of the presentation layer of said computer application, keystrokes and/or programs necessary to reach each state of each screen of said

computer application, the states of each screen, and the effect of any actions taken on each screen (**Okerlund**, c 3, l 10-21; c 8, l 17-67; EN: ¶ 12 applies; such is a typical computer operation; ; a knowledge base without enablement is a memory limitation).

Claim 19

Okerlund anticipates said computer application is navigated automatically (**Okerlund**, c 3, l 10-21; EN: computers run programs automatically; navigating from one program step to the next).

Claim 20

Okerlund anticipates said computer application is navigated manually (**Okerlund**, c 3, l 10-21; EN: computers require manual inputs to run automatically).

Claim 21

Okerlund anticipates receiving a problem statement at a computer system (**Okerlund**, c 3, l 10-21); accessing at least one computer application model that encapsulates information on how at least one computer application is controlled and/or data is accessed (**Okerlund**, c 3, 10-21; c 8, l 17-67); planning a path through said at least one computer application that will achieve the goal of said problem statement (**Okerlund**, c 3, l 10-21; c 8, l 17-67); and executing said path (**Okerlund**, c 3, l 10-21; c 8, l 17-67; EN: ¶ 12 applies).

Claim 22

Okerlund anticipates taking a screen capture of each screen of the presentation layer of a computer application (**Okerlund**, c 8, 21-27); selecting areas of said screen captures to be examined for the presence of an attribute in said area (**Okerlund**, c 8, l

7-17); creating a decision tree such that each of said screen captures has a unique end node of said decision tree (**Okerlund**, c 8, 27-42); accessing said computer application (**Okerlund**, c 3, l 10-21); navigating said computer application (**Okerlund**, c 3, l 10-21; EN: same as running a computer application); and recording in a knowledge base each screen of the presentation layer of said computer application, keystrokes and/or programs necessary to reach each state of each screen of said computer application, the states of each screen, and the effect of any actions taken on each screen (**Okerlund**, c 3, l 10-21; c 8, l 17-67; EN: ¶ 12 applies; such is a typical computer operation; a knowledge base without enablement is a memory limitation).

Claim 23

Okerlund anticipates allowing a user to insert additional relationships and commands into said knowledge base (**Okerlund**, c 3, 36-47).

Claim 24

Okerlund anticipates a processor (**Okerlund**, c 3, l 10-21); a computer memory coupled to said processor(**Okerlund**, c 3, l 10-21); and a screen fingerprinter stored in said computer memory, wherein said fingerprinter comprises a decision tree that selects at least one region and/or pattern of screens of a presentation space of a computer application to be captured such that an occurrence of the said at least one region and/or pattern enables the decision tree is uniquely identify each of the screens (**Okerlund**, c 3, l 22-35; c 8, 28-42; EN: a fingerprinter is simply the software that acquires specific screen presentation data related to at least one computer; decision tree is synonymous with hierarchical data structure in the form of a binary tree which has a decision point at

each node that is not a leaf node); a recorder stored in the computer memory, the recorder recording a knowledge base which comprises the plurality of screen captures, one or more inputs and/or programs necessary to reach the application states indicated by each of the screen captures, one or more actions available from each of the states, and the effects of undertaking each of the actions available from each of the states (**Okerlund**, c 3, l 10-47; c 8, l 7-42; EN: a knowledge base without enablement is a memory limitation); and a navigation planner that receives a problem statement, creates a plan of solving the problem statement by using the knowledge base, and executes the plan (**Okerlund**, c 8, l 43-50; EN: problem statement is a change made to a slice and the execution follows a binary tree), wherein the creating of the plan by the navigation planner comprises the navigation planner dynamically analyzing a current screen to determine a current state, determining a desired state associated with the problem, and dynamically identifying a sequence of the actions from the current state needed to achieve the desired state (**Okerlund**, c 8, l 43-50; EN: ¶ 12 applies; problem statement is a change made to a slice and the execution follows a binary tree; binary tree has decision points (nodes or states) branching to leaves; computer programs or applications are dynamic as such moves through execution; binary tree identifies the path to reach the desired state or node).

Response to Arguments

8. Applicant's arguments filed on November 14, 2005 related to Claims 1-24 have been fully considered but are not persuasive.

In reference to Applicant's argument:

Applicant traverses the characterization of Okerlund as relevant prior art, given that Okerlund does not teach or suggest the present invention. Specifically, as noted in the abstract, Okerlund is directed to:

> A method for rapid extraction and visualization of relevant data from a volume of image data includes rapidly producing reduced-fidelity images derived from an image volume, the reduced fidelity images having an adjustable visual parameter; adjusting the visual parameter of the reduced-fidelity images during the rapid production to select a desired adjustment; producing a full-fidelity image derived from the image volume; and applying the selected adjustment to the full-fidelity image.

Thus, Okerlund teaches the visualization of image data, not the capture of an screen image and processing of the captured screen image to control the application which generated the image. Indeed, no where does Okerlund describe or suggest the capturing of any information displayed on a screen and perform decision analysis based on this information capture as provided by the present invention, as explained below. ¶¶ 56-58.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. First Office Action applies.

In reference to Applicant's argument:

The present invention, is directed to the automated control and execution of programs by analyzing the inputs used to generate certain program states, which are ascertained by polling a screen capture of a running application program. The present invention seeks to address the problem of integrating legacy and newer systems ¶ 6; ¶ 7. This is accomplished with runtime agents that use models to intelligently navigate systems, so that a single user interface may be used to control multiple applications. ¶ 18. To achieve this, the runtime agents determine the state of an application by polling the screen displayed by the application. ¶ 12. Through this polling, unique identifiers may be found and noted, thereby informing the integrating program of the state of the program. ¶ 12. Alternatively, a programmer may select regions

of a screen for the runtime agents. ¶ 13. The present invention provides for models that are used by runtime agents to intelligently navigate systems. Embodiments of the present invention may employ a recorder that "records in the computer memory a plan domain file which comprises each state of the presentation layer of another computer system, the available actions from each state, and the effect of any actions available in each state though navigating the other computer system in the user interface." ¶ 20. Embodiments of the present invention may employ a "fingerprinter" that "captures sections of each screen of the presentation space from at least one other computer system." ¶ 28. No where in Okerlund is there any suggestion of a runtime agent acquiring a screen capture of a presentation space. Moreover, Okerlund does not teach or suggest the simultaneous use of two different processes — one being the runtime agent and the other being the application from which the runtime agent captures sections of each screen of the presentation space.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. First Office Action applies.

In reference to Applicant's argument:

The system of claim 1 comprises a "screen fingerprinter" stored in a computer memory that "selects at least one region and/or pattern of the screens of the presentation space of a computer application to be captured such that said at least one region and/or pattern of each screen is unique." Claim 1 (emphasis added). Similarly, the specification notes that a fingerprinter "captures sections of each screen of the presentation space from at least one other computer system." ¶ 28. Nowhere does Okerlund teach or suggest the capturing of a region and/or pattern of a screen of a presentation space. Examiner's statement that a "a fingerprinter is simply the software that acquires specific screen presentation data related to at least one computer" is an oversimplification of the meaning of "screen fingerprinter" as understood by one of ordinary skill in the art. The fingerprinter, as noted in the claim language and specification referenced above, acquires its data from data that is actually displayed upon a screen of a presentation space, not merely data that might eventually be displayed or modified to be displayed, as is Okerlund. In Okerlund, the end result and objective is to render some visualization on a screen. The present invention, in contrast, uses what is already being displayed on a screen by another computer application as a data source for runtime agents. This understanding is confirmed by the specification, which notes that a "fingerprinter in the computer memory captures sections of each screen of the presentation space from at least one other computer system." ¶ 28. Thus, the fingerprinter's source is the actual screen display, which in Okerlund, the image on the screen is never used as a source of information. Moreover, Okerlund does not disclose the use of one process (performed by "a screen fingerprinter") to observe the operation of another process ("a computer application"), by monitoring the other process' state by selecting "at least one region and/or pattern of the screens of the presentation space of' the other process.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund's fingerprinter is fully described @ c3:25-30. First Office Action applies.

In reference to Applicant's argument:

Examiner cites col. 2, 11. 22-35 of Okerlund. Here, Okerlund merely describes a system for displaying data acquired from an exam prescription subsystem, which acquires its data from a medical scan. Okerlund in no way teaches or suggests the use of a screen capture of any image displayed as part of an image space. The present invention comprises "a screen finger printer" which selects obtains its data from images presented on a screen, see claim 1, Okerlund, in contrast, obtains its data from a medical scan. Col. 3, 1. 25-46. Okerlund does in any way teach the data acquisition of images displayed on a screen, and indeed never teaches the use of one process to observe and select the display of another process.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund's fingerprinter is described @ c3:25-30 ... the acquired images are archived for future use ... a medical scan does not disqualify Okerlund ... multiple processes are not addressed in claim 1. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 2, Examiner cites col. 3,11.35-47 of Okerlund. Here, Okerlund does not disclose or suggest the use of a fingerprinter, which is understood as an agent that selects a portion of an image already being displayed by another application.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund's fingerprinter is described @ c3:25-30 First Office Action applies.

In reference to Applicant's argument:

With respect to claim 3, Examiner cites col. 8, l. 28-42. Here, Okerlund does not teach or discuss the use of a "decision tree." Although a decision tree is one type of hierarchical data structure used to make decisions. The data structure noted in Okerlund is merely of data, not data that permits the making of decisions. Claim 3 is not anticipated by Okerlund and should be allowed.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Simply, hierarchical data can be a binary tree ... computers make decisions in accessing appropriate data in the tree ... decision tree. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 4, Examiner cites col. 3, l. 35-47. For the reasons stated above, Okerlund neither teaches the use of a "fingerprinter" nor the use of a "decision tree." Claim 4 is not anticipated by Okerlund and should be allowed.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See above comments. First Office Action applies.

In reference to Applicant's argument:

Claim 5 has been amended to include "a user interface" in order to provide an antecedent basis for "said user interface." The system of claim 5, as amended, comprises "a recorder" that records in computer memory "a plan domain file which comprises each screen of the presentation layer of a computer application, the keystrokes and/or programs necessary to reach each state, the available actions from each state of each screen and the effect of any actions available in each state through navigating said computer application in said user interface." Examiner cites Col. 3, 11. 10-47 and col. 4, 11. 20-40. Neither here, nor elsewhere, does Okerlund teach or suggest the use of a "recorder," which by its plain terms indicates something which records a state (which is understood by one of ordinary skill, in light of the claims and specification, to be the recording of the state of another computer application). Nothing in Okerlund teaches or suggests the use of a domain file that comprises "each screen of the presentation layer of a computer application." Nothing in Okerlund teaches or suggests the use of a domain file that comprises "the keystrokes necessary to reach each state." Nothing in Okerlund teaches or suggests the use of a domain file that comprises "the available actions from each state of each screen and the effect of any actions available in each state through navigating said computer application in said user interface." Indeed, nothing is Okerlund teaches or suggests the use of an agent to record the operations of a computer application by recording what is displayed upon a screen.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund's fingerprinter is described @ c3:25-30 has storage or a recorder. Again, Okerlund's fingerprinter addresses "each screen of the presentation layer of a computer application ... simply Okerland has a computer ... application ... screens ....and Okerlund stores data. Typically, the computer display responds to keystrokes and since Okerlund stores the monitor image, Okerlaund stores

the keystrokes that established the image ... albeit in a somewhat different form ... but sufficient to anticipate the limitations of the subject claim. The available actions and effects from each screen ... keystrokes are part of the software operating system that is stored in the computer memory. Applicant is silent in claim 5 concerning the use of agents. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 6, Examiner cites col. 4, 11. 37-42. Here, Okerlund merely discloses the viewing of a 3-d visualization. Okerlund does not teach or suggest the generation of a file based upon an user's navigation of another computer system. The term "navigation," as understood by one of ordinary skill in the art in light of the claims and specification, refers to the interaction between a user and another computer application as a user explorers or undertakes use of the computer application. Okerlund merely discloses the remote viewing of what is already being displayed, not the recording of the activities of a user as the user interacts with another computer application.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. The Okerlund user is navigating the system ... albeit the remote system ... from processor generated files. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 7, Examiner cites col. 4, 11. 29-36. Here, Okerlund does not teach or suggest the automated navigation of another computer application.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim

are not read into the claim. Automated navigation is synonymous with a computer process wherein the computer will automatically execute a process involving various functions of the computer. Such a process is addressed by Okerlund @ c4, l 29-36.

In reference to Applicant's argument:

With respect to claim 8, Examiner cites col. 4,1.20-40. As noted before, Okerlund does not teach or suggest the use of fingerprints nor domain files.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund archives images ... fingerprints. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 9, Examiner cites col. 4, 11. 54-63. Here, Okerlund does not include pre-conditions or post-conditions for each state.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Okerlund teaches filtered data classified into separate categories. Such data has records and each record has a pre and post ... such are the nature of records. First Office Action applies.

In reference to Applicant's argument:

The system of claim 10 comprises "a computer application model." As understood by one of ordinary skill in the art in light of the specification and claims, "a computer generated model" is generated by a recorder, thus provides information concerning the various states of an application, including the fingerprints of a state, the keystrokes needed to obtain the state, and the effect of any actions available in each state through navigating said computer application. ¶ 28; ¶ 20. These are not disclosed in Okerlund, as cited by the Examiner. Col. 3, l 10-21.

Moreover, the system of claim 10 comprises "a navigation planner." Examiner states that a hierarchical data structure is a form of a navigation planner. This is incorrect. By its plain terms, a navigation planner plans how a computer application is to be navigated. A mere hierarchical data structure does not perform any actions on its own. An navigation planner, in contrast, must plan how a computer application is to be navigated to progress from one state to another. Nothing in Okerlund, as cited by the Examiner, Col. 8, l. 29-42, suggests a navigation planner, let alone the use of an agent which navigates another computer program.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Applicant appears to equate "a computer generated model" with "a computer application model." See comments related to claim 5 above. The inherent nature of a hierarchical data structure sets forth relationships on how a computer application will process or navigate through the hierarchy ... Okerlund's binary tree and leaf nodes manifest a process from one state (node) to another. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 11, Examiner cites col. 8, 11. 60-67. Nothing in Okerlund suggests the use creation of a new navigation plan, that is, a new way by which a computer application is to be navigated or controlled.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See the "EN" in the first office action @ page 5, lines 1-5). First Office Action applies.

In reference to Applicant's argument:

Claim 12 comprises a "recorder," which is synonymous with "recorder." As discussed above in connection with claim 5, Okerlund does not teach or suggest a recorder. Claim 12 also comprises a "fingerprinter." As discussed above in connection with claim 5, Okerlund does not teach or suggest a recorder. Claim 12 also requires the ability to form additional relationships between a screen and a domain file can be input through said user interface such that said computer application model generator can model said computer application. Examiner cites col. 3, 11. 36-47. Here, Okerlund does not teach or suggest the modeling of a computer application. Moreover, Okerlund does not teach or suggest the use of domain files, as discussed above in connection with claim 5.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. It is axiomatic that "recorder" is synonymous with "recorder." See the comments related to claim 5 above. Neither the original claims nor the amended claims address the limitation to "form additional relationships between a screen and a domain file can be input through said user interface such that said computer application model generator can model said computer application." The amended claim 12 does not limit by the use of domain files. First Office Action applies.

In reference to Applicant's argument:

Claim 13 comprises a "runtime agent." Examiner misconstrues the meaning of runtime agent as used in the application. A run-time agent: "use the models to intelligently navigate each system" and "can be used to implement systems with a single user interface." ¶ 18. Okerlund does not teach or suggest the use of runtime agents, which are not merely "involved in the execution of code," but must be capable of navigating another computer application. Claim 13 further comprises a "computer application model" which, as described above in connection with claim 10, is not taught or suggested by Okerlund.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See comments related to claim 10 above. First Office Action applies.

In reference to Applicant's argument:

Claim 14 comprises a step of "taking a screen capture of each screen of the presentation layer of a computer application." Examiner cites col. 8, 1. 27-67. Here, Okerlund is discusses rendering of a three-dimensional image based upon image slices obtain from a medical scan. Nothing in Okerlund teaches or suggests taking a "screen capture," that is, the capturing of an image of what is displayed on a screen.

Claim 14 further comprises "selecting areas of said screen captures to be examined for the presence of an attribute in said area." Examiner cites col. 8, 11. 7-17. Claim 14 further comprises "creating a decision tree such that each of said screen captures has a unique end node of said decision tree."

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. The screen capture is Okerlund's segmentation process related to the rendering or display which is done for each screen or display related to presentation layer (slice) and is involver in a computer implementation (Fig. 5) ... net effect is a screen capture ... albeit capturing before the actual display. The analysis of

the slices is what it is all about in reviewing medical data. Okerlund teaches a binary tree and leaf nodes @ c 8, l 28-42. First Office Action applies.

In reference to Applicant's argument:

With respect to claims 15 and 16, Examiner cites col. 3, 11. 36-47 and col. 8,11.7-17. Here, Okerlund does not teach or suggest the use of screen captures, and thus does not anticipate the requirement of claim 15 and claim 16 that areas within such screen captures are, respectively, selected automatically and manually.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See claim 14 discussion above. Manual and automatic processing was cited by Okerlund @ c3, l 36-47; c 8, l 7-17. First Office Action applies.

In reference to Applicant's argument:

With respect to claim 17, Examiner cites col. 3, 11. 36-47; col. 8, 11. 27-47. As discussed above in connection with claim 3, Okerlund does not teach or suggest the use of a decision tree. Claim 17 is not anticipated by Okerlund and should be allowed.

Examiner's response:

¶ 10. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See discussion related to claim 3 above. First Office Action applies.

In reference to Applicant's argument:

Claim 18 requires the "recording in a plan domain file each screen of the presentation layer of said computer application, the keystrokes necessary to reach each state of each screen of said computer application, the states of each screen, and the effect of any actions taken on each screen." As discussed above with respect to claim 5, Okerlund does not teach or suggest any of these features.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. Applicant is silent in claim 18, amended, regarding "recording in a plan domain file each screen of the presentation layer of said computer application, the keystrokes necessary to reach each state of each screen of said computer application, the states of each screen, and the effect of any actions taken on each screen."

In reference to Applicant's argument:

Claim 21 requires "accessing at least one computer application model that encapsulates information on how at least one computer application is controlled and/or data is accessed." As discussed above in connection with claim 10, Okerlund does not teach or suggest the use of a computer application model. Claim 21 further comprises a step of "planning a path through said at least one computer application that will achieve the goal of said problem statement." As discussed above in connection with claim 10, Okerlund does not teach or suggest the use of navigation planning.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See comments related to claims 5 and 10 above. Okerlund achieves the goal by rendering a sliding window model ... computer implementation ...

the route to the goal is a computer process path ... which is related to a problem statement. First Office Action applies.

In reference to Applicant's argument:

Claim 22 comprises a step of "taking a screen capture of each screen of the presentation layer of a computer application." As discussed above in connection with claim 1, Okerlund does not teach or suggest the use of a "screen capture." Claim 22 further comprises a step of "creating a decision tree such that each of said screen captures has a unique end node of said decision tree." As discussed above in connection with claim 3, Okerlund does not teach or suggest the use of decision trees. Claim 22 further comprises "recording in a plan domain file each screen of the presentation layer of said computer application, the keystrokes necessary to reach each state of each screen of said computer application, the states of each screen, and the effect of any actions taken on each screen." As discussed above in connection with claim 5, Okerlund does not teach or suggest the use of a "domain file" as is understood by one of ordinary skill in the art in light of the claims and specification.

Examiner's response:

¶ 11. below applies. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Limitations appearing in the specification but not recited in the claim are not read into the claim. See discussions related to claims 1, 3 and 5 above. Applicant is silent regarding "recording in a plan domain file each screen of the presentation layer of said computer application, the keystrokes necessary to reach each state of each screen of said computer application, the states of each screen, and the effect of any actions taken on each screen." First Office Action applies.

Examination Considerations

9. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light

of the supporting disclosure. *In re Morris,* 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

10. Examiner's Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

11. Unless otherwise annotated, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

12. Examiner's Opinion: ¶¶ 9-11 apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Claims 1-24 are rejected.

Correspondence Information

Any inquiry concerning this information or related to the subject disclosure should be directed to the Primary Examiner, Joseph P. Hirl, whose telephone number is (571) 272-3685. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, David R. Vincent can be reached at (571) 272-3080.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,

Washington, D. C. 20231;

Hand delivered to:

Receptionist,

Customer Service Window,

Randolph Building,

401 Dulany Street,

Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571) 273-8300 (for formal communications intended for entry.

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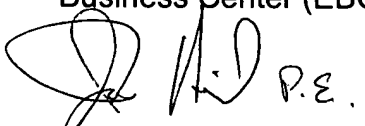

Joseph P. Hirl
Primary Examiner
January 18, 2006